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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/325,143	06/03/1999	CHIN-HUI LEE	LEE22-1	2458

27964 7590 04/15/2003
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EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 04/15/2003

15

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/325,143

Applicant(s)

LEE, CHIN-HUI

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

1. In view of the appeal brief filed on 2/8/2003, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-4 and 6-7** are rejected under 35 U.S.C. 102(e) as being anticipated by Kanevsky et al. (US 6,219,407).

Regarding **claim 1**, Kanevsky discloses a method for improved digit recognition and caller identification in telephone mail messaging (column 1, lines 8-12) (which reads on claimed “a method of spotting a key segment in a voice message”) comprising the steps of:

identifying a key segment (column 4, lines 36-46) [The person associated with the identified prototypes is determined];

storing characteristics of the key segment (column 4, lines 36-46) [The list of the telephone number corresponding to the identified person is stored];

receiving a voice message (column 3, lines 59-63) [The caller leaves a voice mail phone message];

comparing the stored characteristics of key segment (column 4, line 50 “telephone number”) against the voice message (column 4, line 50 “the phone message”) to detect the key segment in the voice message (column 4, lines 47-52) [The digit spot module decodes the telephone number in the message];

tagging the voice message with the location of the detected key segments (column 5, lines 1-5) [The number spotted is provided to the comparator along with a list of telephone numbers associated with the caller];

receiving an enquiry (column 6, line 40 “click on”) for the key segment (column 6, lines 38-45) [The user select the name or the phone number for the message]; and

retrieving the key segment from the voice message (column 6, lines 31-38) [The system output to the user interface unit the spotted numbers or names].

Regarding **claims 2 and 7**, Kanevsky discloses a registering the key segment by storing an identification and a characteristic of the key segment (column 9, lines 29-35).

Regarding **claim 3**, Kanevsky discloses a predefining the key segment (column 6, lines 17-30).

Regarding **claim 4**, Kanevsky discloses wherein the enquiry for the key segment includes speech (column 5, lines 43-65).

Regarding **claim 6**, Kanevsky discloses a method for improved digit recognition and caller identification in telephone mail messaging (column 1, lines 8-12) (which reads on claimed “a method of spotting a key segment in a voice message”) comprising the steps of:

receiving a voice message (column 3, lines 59-63) [The caller leaves a voice mail phone message];

receiving an enquiry (column 6, line 40 “click on”) for the key segment (column 6, lines 38-45) [The user select the name or the phone number for the message];

either obtaining the characteristics of the key segment from predefined key segments or storing characteristics of the key segment (column 4, lines 36-46) [The list of the telephone number corresponding to the identified person is stored];

comparing the stored characteristics of key segment (column 4, line 50 "telephone number") against the voice message (column 4, line 50 "the phone message") to detect the key segment in the voice message (column 4, lines 47-52) [The digit spot module decodes the telephone number in the message];

tagging the voice message with the location of the detected key segments (column 5, lines 1-5) [The number spotted is provided to the comparator along with a list of telephone numbers associated with the caller]; and

retrieving the key segment from the voice message (column 6, lines 31-38) [The system output to the user interface unit the spotted numbers or names].

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 5 and 8** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky in view of Bennett, III et al. (US 6,463,143).

Regarding **claims 5 and 8**, Kanevsky as applied to **claims 2 and 7** above differ from **claims 5 and 8** in that it fails to disclose a pronunciation of the key segment.

However, Bennett teaches a pronunciation of the key segment (column 2, lines 61-67).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a pronunciation of the key segment of Bennett in the invention of Kanevsky.

The modification of the invention will offer the capability of pronouncing the key segment such as the system will understand the spelling word.

Response to Arguments


6. Applicant's arguments with respect to **claims 1-8** have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.


g.g.
April 7, 2003


ALLAN HOOSAIN
PRIMARY EXAMINER
